

aspirations of all people for freedom and democracy.

In Witness Whereof, I have hereunto set my hand this ninth day of November, in the year of our Lord two thousand one, and of the Independence of the United States of America the two hundred and twenty-sixth.

George W. Bush

[Filed with the Office of the Federal Register, 9:34 a.m., November 14, 2001]

NOTE: This proclamation was published in the *Federal Register* on November 15. This item was not received in time for publication in the appropriate issue.

Memorandum on Taiwan's Accession to the World Trade Organization

November 9, 2001

Memorandum for the United States Trade Representative

Subject: Determinations under Section 1106(a) of the Omnibus Trade and Competitiveness Act of 1988—Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu

Section 1106(a) of the Omnibus Trade and Competitiveness Act of 1988, (19 U.S.C. 2905(a)) (the “1988 Act”), requires the President to determine for any major trading country that is acceding to the World Trade Organization (WTO) whether state trading enterprises account for a significant share of the exports of that major trading country or goods that compete with imports into that country and whether such state trading enterprises unduly burden and restrict, or adversely affect, the foreign trade of the United States or the United States economy, or are likely to result in such a burden, restriction, or effect.

Taiwan, known in the WTO as “the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu,” is in the final stage of its accession to the WTO. Thus, pursuant to section 1106(a) of the 1988 Act, I determine that state trading enterprises do not account for a significant share of the exports of the Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu or of goods that

compete with exports to the Separate Customs Territory. Further, I determine that such state trading enterprises do not unduly burden and restrict, or adversely affect, the foreign trade of the United States or the United States economy, and are not likely to result in such a burden, restriction, or effect.

You are directed to publish this memorandum in the *Federal Register*.

George W. Bush

[Filed with the Office of the Federal Register, 8:45 a.m., November 14, 2001]

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Memorandum on China's Accession to the World Trade Organization

November 9, 2001

Memorandum for the United States Trade Representative

Subject: Determinations under Section 1106(a) of the Omnibus Trade and Competitiveness Act of 1988—People's Republic of China

Pursuant to section 1106(a) of the Omnibus Trade and Competitiveness Act of 1988, (19 U.S.C. 2905(a)), I determine that state trading enterprises account for a significant share of the exports of the People's Republic of China (China) and goods that compete with imports into China. I further determine that such state trading enterprises unduly burden and restrict, or adversely affect, the foreign trade of the United States or the United States economy, or are likely to result in such a burden, restriction, or effect.

China is seeking to become a member of the World Trade Organization (WTO). The terms and conditions for China's accession to the WTO include China's commitments that it will ensure that all state-owned and state-invested enterprises will make purchases and sales based solely on commercial considerations, such as price, quality, marketability, and availability, and that U.S. business firms will have an adequate opportunity

to compete for sales to and purchases from these enterprises on nondiscriminatory terms and conditions. In addition, the Government of China will not influence, directly or indirectly, commercial decisions on the part of state-owned or state-invested enterprises, including on the quantity, value, or country of origin of any goods purchased or sold, except in a manner consistent with the Marrakesh Agreement Establishing the World Trade Organization (WTO Agreement). China has also confirmed that state trading enterprises will make purchases that are not for government use. The obligations that China will assume under the WTO Agreement, including China's protocol of accession, meet the requirements of section 1106(b)(2)(A), (19 U.S.C. 2905(b)(2)(A)), and thus my determinations under section 1106(a) do not require invocation of the nonapplication provisions of the WTO Agreement.

You are directed to publish this memorandum in the *Federal Register*.

George W. Bush

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NOTE: This memorandum was published in the *Federal Register* on November 15. This item was not received in time for publication in the appropriate issue.

**Message to the Congress
Transmitting a Report on China's
Accession to the World Trade
Organization**

November 9, 2001

To the Congress of the United States:

In accordance with the requirements of Public Law 106–286, I hereby transmit the attached report certifying that the terms and conditions for the accession of the People's Republic of China to the World Trade Organization are at least equivalent to those agreed between the United States and the

People's Republic of China on November 15, 1999.

George W. Bush

The White House,
November 9, 2001.

NOTE: This item was not received in time for publication in the appropriate issue.

**Notice—Continuation of Emergency
Regarding Weapons of Mass
Destruction**

November 9, 2001

On November 14, 1994, by Executive Order 12938, President Clinton declared a national emergency with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by the proliferation of nuclear, biological, and chemical weapons (weapons of mass destruction) and the means of delivering such weapons. Because the proliferation of weapons of mass destruction and the means of delivering them continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, the national emergency first declared on November 14, 1994, and extended on November 14, 1995, November 12, 1996, November 13, 1997, November 12, 1998, November 10, 1999, and November 12, 2000, must continue in effect beyond November 14, 2001. In accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 12938.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

George W. Bush

The White House,
November 9, 2001.

[Filed with the Office of the Federal Register, 11:54 a.m., November 9, 2001]